



REMARKS/ARGUMENT

An obvious error has been corrected in claim 1 without any change in the scope thereof.

The cover sheet of the current Office Action is not clear with respect to the priority document. In the copy received by the undersigned, the "none" box has been checked as well as the box indicating that the certified copies had been received. The line indicating that the certified copies were in a prior application does not have its box checked but the blank after application number reads "3 (9-24-01)". It is respectfully point out that a certified copy of the priority document is of record in parent application 09/354,481. Clarification of the record is respectfully solicited.

Claims 1-9 were rejected under 35 U.S.C. § 103 over Kadota or Japan. Japan was published on September 14, 1998 while the present application is entitled to priority of an application filed in Japan on August 5, 1998. A verified translation of the priority document is being submitted herewith. Japan is not prior art to the present invention and the rejection based on Japan should, therefore, be withdrawn.

The Kadota patent relates to an inexpensive Love-wave device. It refers to a prior art device illustrated in Figure 8 in which there is a substrate 10, a chromium thin film 11b on the substrate 10 and a gold thin film 11a on the chromium thin film 11b. It appears that the rejection is based on the presumption that the chromium thin film is a material capable of reactive-ion etching with a flourine-based gas. Since no support for this presumption has been cited, it is respectfully submitted that prima facie basis for rejection is not present. Further, the attention of the Examiner is respectfully invited to the attached paper about the relationship between an etching gas and a thin film which indicates that the etching gas for chromium is a chlorine-based gas and not a fluorine-based gas. The Kadota reference clearly does not anticipate the present invention (even had a prima facie basis for the rejection been present).

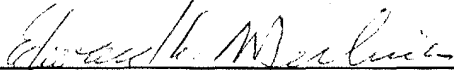
09/354,481
JAN 28 2002
JC01

Withdrawal of all rejections and allowance of this application is respectfully solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on December 24, 2001:

Edward A. Meilman

Name of applicant, assignee or
Registered Representative

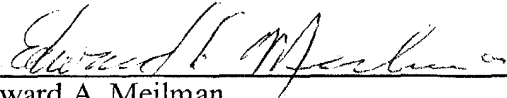


Signature

December 24, 2001

Date of Signature

Respectfully submitted,



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APPENDIX B
VERSION WITH MARKINGS TO SHOW CHANGES MADE
37 C.F.R. § 1.121(b)(iii) AND (c)(ii)

CLAIMS:

1. An electronic device comprising:
a substrate;
a lower electrode layer on the [support] substrate and comprising a material capable of reactive-ion etching with a fluorine-based gas; and
an upper electrode layer on the lower electrode layer and comprising a material capable of reactive-ion etching with a chlorine-based gas.